

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re: DIAZ, CARMEN H.
JOSE MARCANO

§ Case No. 08-16751

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Debtor(s)

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. The debtor filed a petition under Chapter 7 of the United States Bankruptcy Code on June 29, 2008. The undersigned trustee was appointed on June 29, 2008.

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 83,000.79

Funds were disbursed in the following amounts:

Administrative expenses	<u>29,379.94</u>
Payments to creditors	<u>23,620.06</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Payments to the debtor	<u>15,000.00</u>
Leaving a balance on hand of ¹	\$ <u>15,000.79</u>

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing claims in this case was 10/22/2008. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$6,650.04. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$6,650.04, for a total compensation of \$6,650.04. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$47.91, for total expenses of \$47.91.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 10/04/2010 By: /s/CHARLES J. MYLER
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

Exhibit A

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Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 08-16751

Trustee: (330510) CHARLES J. MYLER

Case Name: DIAZ, CARMEN H.
JOSE MARCANO

Filed (f) or Converted (c): 06/29/08 (f)

§341(a) Meeting Date: 07/21/08

Period Ending: 10/04/10

Claims Bar Date: 10/22/08

1		2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)		Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=§554(a) DA=§554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
1	Single family home 1036 Willow Bay, Elgin, IL 60	215,500.00	0.00	DA	0.00	FA
2	Checking account Washington Mutual Bank St. Char	50.00	0.00	DA	0.00	FA
3	Checking account Chase Bank Elgin, Illinois	200.00	0.00	DA	0.00	FA
4	Checking account Washington Mutual Elgin, Illino	100.00	0.00	DA	0.00	FA
5	Savings account Kane County Teachers Credit Unio	2,000.00	0.00	DA	0.00	FA
6	Miscellaneous household furnishings	500.00	0.00	DA	0.00	FA
7	Wearing apparel	400.00	0.00	DA	0.00	FA
8	Security Financial 401K Plan	1,500.00	0.00	DA	0.00	FA
9	School District U-46 403(b) Plan	5,000.00	0.00	DA	0.00	FA
10	IMRF Pension Funds	10,000.00	0.00	DA	0.00	FA
11	Personal injury claim Larry Crisanti Attorney at	Unknown	Unknown		83,000.00	FA
12	1997 Ford Winstar - 167,000 miles	1,200.00	0.00	DA	0.00	FA
13	2003 Lincoln LS - 63,000 miles	6,000.00	0.00	DA	0.00	FA
14	2004 BMW Series 325i Sedan - 74,000 miles	11,000.00	0.00	DA	0.00	FA
Int	INTEREST (u)	Unknown	N/A		0.79	Unknown
15	Assets Totals (Excluding unknown values)	\$253,450.00	\$0.00		\$83,000.79	\$0.00

Major Activities Affecting Case Closing:

Trustee has authorized settlement; will file final report

Initial Projected Date Of Final Report (TFR): December 31, 2008

Current Projected Date Of Final Report (TFR): September 30, 2010

Exhibit B

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Form 2

Cash Receipts And Disbursements Record

Case Number: 08-16751

Case Name: DIAZ, CARMEN H.
JOSE MARCANO

Taxpayer ID #: **-***1426

Period Ending: 10/04/10

Trustee: CHARLES J. MYLER (330510)

Bank Name: The Bank of New York Mellon

Account: 9200-*****31-65 - Money Market Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
07/02/10	{11}	Allstate	Settlement proceeds less Allstate setoff	1142-000	83,666.67		83,666.67
07/02/10	{11}	Allstate	Reversed Deposit 100001 1 Settlement proceeds less Allstate setoff	1142-000	-83,666.67		0.00
07/20/10	{11}	Allstate	PI Case settlement proceeds	1142-000	83,000.00		83,000.00
07/26/10	Int	The Bank of New York Mellon	Current Interest Rate is 0.0700%	1270-000	0.79		83,000.79
07/26/10		To Account #9200*****3166	Transfer to checking to distribute special counsel fees and expenses	9999-000		83,000.79	0.00

ACCOUNT TOTALS	83,000.79	83,000.79	\$0.00
Less: Bank Transfers	0.00	83,000.79	
Subtotal	83,000.79	0.00	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$83,000.79	\$0.00	

Exhibit B

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Form 2. Cash Receipts And Disbursements Record

Case Number: 08-16751

Case Name: DIAZ, CARMEN H.
JOSE MARCANO

Taxpayer ID #: **-***1426

Period Ending: 10/04/10

Trustee: CHARLES J. MYLER (330510)

Bank Name: The Bank of New York Mellon

Account: 9200-*****31-66 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
07/26/10		From Account #9200*****3165	Transfer to checking to distribute special counsel fees and expenses	9999-000	83,000.79		83,000.79
07/26/10	101	Crisanti & Young	Special counsel fees	3210-600		27,666.67	55,334.12
07/26/10	102	Crisanti & Young	Special counsel expenses	3420-590		1,713.27	53,620.85
07/26/10	103	Northwest Spine & Surgery	Medical lien	5910-000		22,543.59	31,077.26
07/26/10	104	Ingenix	Medical lien	5910-000		1,076.47	30,000.79
07/26/10	105	Carmen Diaz	Exemption	8100-002		15,000.00	15,000.79

ACCOUNT TOTALS	83,000.79	68,000.00	\$15,000.79
Less: Bank Transfers	83,000.79	0.00	
Subtotal	0.00	68,000.00	
Less: Payments to Debtors		15,000.00	
NET Receipts / Disbursements	\$0.00	\$53,000.00	

Net Receipts :	83,000.79
Less Payments to Debtor :	15,000.00
Net Estate :	\$68,000.79

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
MMA # 9200-*****31-65	83,000.79	0.00	0.00
Checking # 9200-*****31-66	0.00	53,000.00	15,000.79
	\$83,000.79	\$53,000.00	\$15,000.79

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 08-16751
Case Name: DIAZ, CARMEN H.
Trustee Name: CHARLES J. MYLER

Claims of secured creditors will be paid as follows:

<i>Claimant</i>	<i>Proposed Payment</i>
Ford Motor Credit Company LLC	\$ 0.00

Applications for chapter 7 fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
Trustee CHARLES J. MYLER	\$ 6,650.04	\$
Attorney for trustee Myler, Ruddy & McTavish	\$ 3,840.00	\$
Appraiser	\$	\$
Auctioneer	\$	\$
Accountant	\$	\$
Special Attorney for trustee	\$	\$
Charges, U.S. Bankruptcy Court	\$	\$
Fees, United States Trustee	\$	\$
Other	\$	\$
Trustee Charles J. Myler	\$	\$ 47.91

Applications for prior chapter fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
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Attorney for debtor	_____	\$ _____	\$ _____
Attorney for	_____	\$ _____	\$ _____
Accountant for	_____	\$ _____	\$ _____
Appraiser for	_____	\$ _____	\$ _____
Other	_____	\$ _____	\$ _____

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim Number	Claimant	Allowed Amt. of Claim	Proposed Payment
	N/A		

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 68,719.86 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 6.5 percent.

Timely allowed general (unsecured) claims are as follows:

Claim Number	Claimant	Allowed Amt. of Claim	Proposed Payment
<u>2</u>	Discover Bank/DFS Services LLC	\$ <u>5,981.32</u>	\$ <u>388.44</u>
<u>3</u>	Discover Bank/DFS Services LLC	\$ <u>6,924.39</u>	\$ <u>449.69</u>
<u>4</u>	Capital Recovery II	\$ <u>7,235.49</u>	\$ <u>469.89</u>
<u>5 -2</u>	Chase Bank USA, NA	\$ <u>6,537.27</u>	\$ <u>424.55</u>
<u>6 -2</u>	Chase Bank USA, NA	\$ <u>6,972.30</u>	\$ <u>452.80</u>
<u>7</u>	Capital Recovery II	\$ <u>15,401.08</u>	\$ <u>1,000.18</u>
<u>8</u>	Capital Recovery II	\$ <u>1,937.56</u>	\$ <u>125.83</u>
<u>9</u>	FIA Card Services, N.A.	\$ <u>3,479.90</u>	\$ <u>225.99</u>
<u>10</u>	Chase Bank USA, NA	\$ <u>5,418.94</u>	\$ <u>351.92</u>
<u>11</u>	eCAST Settlement Corporation	\$ <u>8,831.61</u>	\$ <u>573.55</u>

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
N/A			

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
N/A			

The amount of surplus returned to the debtor after payment of all claims and interest is \$0.00.